

A

FEW OBSERVATIONS

ON, AND A FEW FACTS ILLUSTRATIVE OF, THE EVILS
ATTENDING THE SYSTEM

OF

DETAINING SINGLE LUNATICS

IN

PRIVATE DWELLINGS,

WITHOUT RESPONSIBLE SUPERVISION.

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"Notwithstanding the detention of single Lunatics by their Friends in Private Dwellings is open to abuse, yet it does not appear that such prevails."
—Sir James Graham's *Speech in the House of Commons, July 23, 1844.*

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1844.

Miss Fye will see, having a
The winter fall practically written
for the insane -



RICHMOND BRIDGE,

September 1st, 1846.

SINCE this Pamphlet was printed, its main object, the proper treatment of insane patients confined in unlicensed houses, has been partially effected by some clauses in the new Act 8th and 9th Victoria, for the regulation of the care and treatment of lunatics. The Act is owing to Lord Ashley's untiring zeal on behalf of the insane, and is comprehensive in its nature, for, while it looks especially to the welfare of all classes of the insane, it is not unmindful of the just claims to protection even of those who undertake the care and control of them, as will be seen by a reference to clause 99, which exempts from legal liabilities the proprietors and superintendents of asylums, and their servants, for detaining and retaking lunatics—committed to their care in the first place—with an order to receive, and certificates of their insanity. If there be no other clause in the Act, which fixes more explicitly the responsibility of unjust confinement upon the medical persons signing the original certificates of "fitness to be confined," this clause would appear to do it. Many Clauses in the Act would bear revision, but I will confine my attention at present to the Clauses 90 to 95 inclusive, which are devoted exclusively to the affairs of patients in unlicensed houses, and will, by and by, when reconsidered with a view to their amendment, prove more effective of their object, and more certain of gaining that ready and respectful attention, which they should command, than they can be in their present shape. In order to render the condition of insane persons confined singly in unlicensed houses intelligible, I will divide that class into three sections, and shew, as well as I can, the intention, and the practical working of the Act in reference to them. One section is composed of patients placed in the private residences, and under the private care of medical or other persons, deriving a profit from the charge—but they could not be so received or confined, even under the late act, without an order and certificates of their insanity—which certificates had to be renewed annually, and transmitted to the Secretary of the Commissioners in Lunacy, and so far, this section was more fortunately circumstanced than the other two sections. Section 2 is composed of patients in secluded cottages, with a posse of servants, the establishments being under the profitable and positive management of those medical gentlemen, who, from confining their professional labours entirely to insane patients, are termed mad doctors—while ostensibly the management is kept in the hands of relatives, or other persons "deriving *no profit*" from it, and by these means, the requirements of the Act were evaded. These establishments abound in the neighbourhood of St. John's Wood, although not necessarily limited to that locality, and were most faulty in every particular—and if clause 99 succeed in abolishing them, the good effected will be considerable. The intention of the clause, I presume, is to place this section on a footing with the preceding section, when it directs, that no person *deriving a profit* from the charge, shall receive or take the care or charge of any insane person, without

an order to receive and certificates of insanity—copies of which must be transmitted to the Secretary of the Commissioners. The medical visitation ordered to be made once in every two weeks applies to both sections, and can hardly fail to prove vexatious, if made by desire of the patient's friends, and possibly, by a rival practitioner, while it promises but little practical good to the object of its care, if the selection of a medical visitant be allowed to the person in charge. This part of the clause is very vague, and undefined, for it does not even say by whom the expense of the visitation is to be borne—and the visitation by one or two members of the private Committee is more possible than probable, and is on that account very unsatisfactory, for such matters should not be promissory, but mandatory—if the proceeding be not intended as a ceremonial rather than a real measure of relief. Usually the male and female keepers for the patients of this second section, are supplied by the doctors, and that ought to identify them so completely with the profitable charge, as to render them in the eyes of the law, the responsible parties in charge, if other evidence of the fact were wanting. In truth—no supervision of these two sections can be otherwise than vexatious to one party, and unprofitable to the other—unless it be made by Government Commissioners, whose position and character would place them beyond the suspicion of partiality, or other undue motive in the performance of their duties. This supervision should be made quarterly—and should be most minute and inquisitive in its details—and if its expensiveness should oppose a barrier, the appropriation of 1 per cent. on the incomes above £150. a year of insane persons in unlicensed houses, would suffice to extend the supervision even to those with incomes under £150. a year. There is a third section of patients in unlicensed houses, whose condition is untouched by the present Act, and is entitled to serious consideration. These are patients, who either have no property—or where—having property, it is expended upon them—in either case, “no profit” can be said to be deriveable from the charge—by the parties primarily exercising control over them, and in this way, an opportunity is afforded of doing a great wrong, without violating any law—for the Act exempts all persons “not deriving a profit” as well as Committees appointed by the Lord Chancellor. Committees appointed by the Lord Chancellor, are able and willing to protect their wards—and it is unnecessary to say more of them here; but, to permit any person to take away the liberty of another, on the ground of insanity, without first procuring certificates of his insanity and *fitness to be confined*—whether such person derive a profit or not from so doing—is an unwise and unjust proceeding—false in theory and pernicious in its effects. Servants may be said to be attendants upon, and not recipients of, insane persons, and it becomes necessary to prevent their being used as passive agents for confining or ill-using patients, which is, and has been the case, more extensively than will be readily credited. It is no palliation of the evil—that impulsive and impatient people depute to servants the power of imprisoning and mismanaging their insane relatives, not from a desire to appropriate unfairly any portion of the property of such insane relatives, but from the desire to keep secret their dependent state of health, and so long as it can be shewn that the evil exists, and arises chiefly from an unjustifiable desire for secrecy—which is at the root of most of the evils which surround the condition of persons forming this section,—it becomes the duty of our

legislators to remove it, by the enactment of a clause which shall reach it fairly and distinctly. Diseased mental manifestations might arise *temporarily* from various causes, and it might be but proper and considerate not to interfere with the natural proceedings of relatives or others “deriving no profit” on such occasions—while exercising control for a short period of a month or six weeks—but when the disease begins to assume a permanent character, and there is a danger that the patient and hitherto affectionate forbearance of relations, is about to give way to angry rebukes and unheeded remonstrances; then the law should, by its interference, obviate the miserable results of the next, and possibly, the enduring stage of the invalid’s wretched career; by ordering, that it shall not be lawful for any person or persons, *not deriving a profit* from the charge, to receive, or take the care or charge of, or exercise control over a person or persons insane, or alleged to be insane, or authorize others to do so, for a longer period than six weeks, without procuring two medical certificates, &c., (copies of which are to be forthwith transmitted to the Secretary of the Commissioners in Lunacy), and upon receipt of these copies, a visitation of the patient to be made, within a month, by a Government Commissioner, upon whose report of the case, *and its attendant circumstances*, the Private Committee should decide upon the number of visitations to be made annually, which should never be less than one. The prevailing notions of society, and more particularly the notions of influential members of both Houses of Parliament, cannot be summarily and suddenly dealt with, by merely impulsive legislation, however well intended and just it may be; these notions, if erroneous, must be shewn to be so, before a decisive blow can be struck against them: and, it is pretty evident, by the quiet passing of Lord Ashley’s Act, that the discussions which preceded the change in the law, were effective of good in preparing the minds of people for it, and it can hardly be doubted, that the time is come, for disabusing the minds of those, who would still cling to the notion that their desire for secrecy must be allowed to take precedence of all other considerations relative to the cure and reasonable management of their insane relations. The vigour and earnestness which would be displayed, by the enactment of a clause, such as I have imperfectly described above, would not only conquer existing opposition, but likewise prevent any fresh spirit of antagonism on the subject, because it is an adherence to a wrong system, from an indolent spirit, and not from a desire to do wrong, that remains to be overcome. When it was stated in Parliament in 1844, that there were 282 lunatics under the care of the Court of Chancery, there was then no positive method of ascertaining how many private insane patients there were placed singly in unlicensed houses throughout England. The Reports of the Commissioners in Lunacy not containing at that time any information respecting them, I ventured to assert conjecturally, that there might be 5000 of them so located—and by a Parliamentary document recently printed, it seems that, in January last, there were as many as 3,873 insane persons “with their friends or elsewhere.” These, I take it for granted, are members of the class of patients placed singly in unlicensed houses, because the Report says, they were neither in County Asylums, in Licensed Mad-houses, nor in Union Work-houses—and treating of them as a

portion of the 15,310 lunatics in England, disposing of the whole number thus:—

In County Asylums	4,675
In Licensed Houses	3,363
In Union Work-houses	4,397
With Friends and elsewhere	3,873

I cannot close these observations without adverting to the somewhat anomalous character of the Metropolitan Commission in lunacy, which seeks to perform, by the agency of lego-medical Commissioners, duties, which are essentially medical in their nature, if having to visit invalids, and enquire and suggest relative to their condition, can make them so. All insane persons are invalids, about half of them being females, and they labour either under active or chronic cerebral disease, or its consequences, and are unquestionably in their persons and physical ailments, objects for medical and not for legal care; and I do not see any difficulty in shewing, how entirely compatible with the welfare of all insane persons it will be, that more consideration shall be given, in future, to the just claims of the not-over-well-used profession of medicine, in appointing the paid or working Commissioners in Lunacy. If the object were to ascertain the sanity or insanity of individuals under confinement, a barrister would be as competent as a physician for the task; but it is not so, and I feel assured, that the ground for making a lego-medical commission in lunacy, is no more tenable, than would be an assumed ground for making medico-legal commissioners in bankruptcy, &c. The unpaid or honorary commission not having to perform laborious duties, its unmedical character is not so objectionable, although the accession of a medical member or two, would not impair the efficacy, even of that most respectable and honourable body. The Masters in Lunacy having to act judicially in all cases of lunacy that become the subjects of a commission—and the Secretary to the Commissioners having to perform duties rather of a legal than a medical nature, it is only proper that these gentlemen should be barristers—but this should form a limit to the considerate care of legal interests in the construction of a Commission in Lunacy—seeing that the members of the law have been already troubled with the care of managing the incomes of lunatic wards in Chancery, which do not fall much short of half a million annually. No one can appreciate more fully than I do, the high character of the Commissioners in Lunacy—honorary and paid—and therefore my remarks regarding the constitution of the Commission, must be considered to arise solely from my desire, as an humble and zealous member of my profession, to associate medical interest with the welfare of the insane, and submit the suggestion most respectfully and deferentially to the consideration of the Lord Chancellor.

M. BARRY, M.D.

PREFACE.

About two years ago I canvassed the Magistrates of Surrey for the office of Visiting Physician to the Surrey Lunatic Asylum, and was unsuccessful, because an older and more tried candidate, Sir ALEXANDER MORISON, was elected in preference. I had personal introductions to many of those gentlemen, and it was while speaking hurriedly to one of them in the lobby of the House of Commons, on the subject of Insanity—or rather the regulations for its government—that it first occurred to me to disclose, on every fitting occasion, the painful facts which came under my observation, in connexion with the system, under which “private patients” are now so unhappily placed. A year afterwards I had frequent and interesting conversations on the same subject, with a much valued friend, the late Mr. O'HANLON, who, as Counsel to the Irish Office, was then, by direction of Lord ELIOTT, the Secretary for Ireland, engaged in framing a Bill for assimilating the Lunatic Asylums in Ireland to those in England, so far as the difference in circumstances of the respective countries would admit of such assimilation. We passed insensibly from the consideration of the Irish Asylums Bill, to that of the private and irresponsible system, by which alleged Lunatics were sometimes unfairly deprived of their liberty—and real Lunatics were suffered to endure unnecessary violence and privation during a necessary confinement. He was much concerned on hearing some painful disclosures—which I was enabled to make without any breach of professional confidence—and he thought it most desirable that such information should be given to disinterested philanthropists—like Lord ASHLEY and Lord GRANVILLE SOMERSET—as an instalment of that evidence, by which the false notions and prejudices of relatives must be combatted, in order to break down this vile because irresponsible system. He likewise advised me to have it printed in a plain and unpretending shape, so that those who might be able and willing to make use of the evidence should not be deterred from doing so through fear of having to decypher a manuscript. Since then, it has been my deep affliction to lose, by his unexpected death, my friend; and I now redeem the promise I made him, and hope, in doing it, that I shall not be considered by my other friends to have committed the great error of attempting to write a Book.

M. BARRY, M.D.

RICHMOND BRIDGE,
November 26, 1844.

A

FEW OBSERVATIONS,

&c., &c.

Lord ASHLEY, who has earned the gratitude of every humane person by the benevolent and invaluable services he has rendered to those whom it has pleased God to deprive of power either to assist or to protect themselves, brought before the House of Commons, on the 23rd of July 1844, the subject of LUNACY, in moving an address to the Crown, praying Her Majesty to take into consideration the Report of the *Metropolitan Commissioners* in Lunacy to the Lord Chancellor, presented to that House by command of Her Majesty.

On that occasion, the Noble Lord stated, that the Lunatic Asylums of England were divisible into *three* classes, viz., Houses for Single Patients, Public Asylums, and Private Mad-houses; and it is in reference to the state of patients in the first of these classes, that I now request the indulgent attention of those who feel the melancholy interest in all the circumstances attending insanity, which it is so poignantly calculated to excite, while I mention a few facts, accompanied by very brief observations, which I feel it to be a duty to submit for their further information; feeling assured that they will not repent of the time devoted to the purpose.

My attention, as uninterruptedly as my other professional duties would admit of, has been, for the last ten years, devoted to the subject of Lunacy; more particularly to the state of *single Lunatics detained in private dwellings*; and from the melancholy and startling abuses which, in the course of those years, I have thus become acquainted with, I venture to feel

myself competent to offer a few useful remarks on this painful and neglected subject: and if I stood in need of an excuse for the liberty I now take in my attempt to do so, the sentence I have inserted at the head of this pamphlet, coming from the lips of the Right Honourable Baronet, Sir James Graham, Her Majesty's Secretary of State, that though the practice of detaining single Lunatics in private dwellings is open to abuse, yet that *it does not appear such prevails*, would, I am sure, not only to the mind of that Right Honourable Gentleman, but to that of every one else, be an ample apology for me, and, prepared as I am to prove, that such abuses *do prevail*, and are practised to a fearful and most deplorable extent upon the utterly defenceless, I presume to think that even Sir James Graham will hold me justified in my endeavour to supply that information which the Right Honourable Baronet has so recently and publicly declared to exist on this point.

When Lord Ashley introduced his motion to the House of Commons, he expressed himself, according to the report of his speech in *The Times* newspaper, upon this branch of the subject, in these words: “The Lunatic Asylums of England were divisible into three classes: houses for single patients, public asylums, and private mad-houses, into which paupers and others were received for payment. With respect to the first class,” [i. e., *single patients in private dwellings*,] “the commission could obtain no satisfactory returns. They knew that under the care of the Court of Chancery there were 282 patients, but they were precluded, by statute, from interfering or enquiring into the conduct of private establishments of this class. And here let him observe, that this appeared to him to be a peculiarly unfortunate arrangement. The power of instituting enquiries of this sort was, he knew, most invidious, but it was absolutely necessary that it should be vested in some responsible authority, competent to discover and check the *numerous and horrible abuses* to which this system was liable—(Hear, hear). No doubt there were exceptions, but, generally, the House could have but little conception of the abuses perpetrated in these establishments. Let them consider the character of the power which, under such a system, was given to the relatives and keepers of the insane. Let them reflect what temptations there were to an abuse of the power. Many patients were confined in this way by a person who received *five hundred pounds a year* for their

keep. What a temptation to render the lunatic incurable, in order to keep him in perpetual confinement!—(Hear, hear). Why, the returning health of the patient was the signal for the discontinuance of the £500. a year—(Hear, hear). So convinced was he of the evils of this system, that he did not hesitate to declare, that if it pleased Providence to afflict any of his dearest relations with aberration of intellect, he would place them in any public asylum rather than under the sort of custody he had described—(Hear, hear)." This sweeping denunciation of the one system by Lord Ashley, is no commendation of public asylums, but it shews clearly how truly vicious that system must be to induce his Lordship to prefer a public asylum, with its atmosphere of moral and physical impurities, as a place of refuge for any insane relative of his, rather than subject him to the horrible abuses of the private system.

As I have said, it is not my intention to detain the reader for one moment with a single remark, affecting either the condition of or the treatment experienced by lunatics confined in public asylums or in private mad-houses, that is to say, private houses licenced for the reception of *two or more* of those unhappy creatures. Legislative measures have been passed from time to time (and more stringently of late), for the purpose of guaranteeing to the public that in such establishments the insane shall be fitly and properly protected and treated. I shall confine myself, therefore, to that class whose condition, I agree with Lord Ashley in firmly believing, is to be more deeply regretted than that of either of the other classes. I mean that class of the insane who are placed by their relatives, guardians, or friends, under what may be justly designated the *private and irresponsible system*, and which system comprehends within its vicious operations the insane who are confined either in a family mansion, or in a retired cottage, and attended only by servants, or in houses of medical gentlemen or others, who may be willing to undertake the charge for profit. Unquestionably the plan of confining an insane person in a family mansion appears to me to be attended with great danger; although, as regards educated patients, perhaps it is the least abused, so far as the undue confinement of the individual is concerned. Still, in that case, there is much latitude for the mendacity and vindictiveness of servants, owing (amongst other things) to the fears of the relatives, their inexperience in the management of the

insane, and the natural tendency of the invalid to rebel against the assumed authority of relatives. For instance, I have seen the paralysed adult daughter of a nobleman, severely struck by her plausible servant, within 200 yards of the family mansion, simply because she evinced a degree of impatience with respect to the direction in which her park chair should be drawn; and doubtless on such occasions, this woman, when detected, excused herself to the indolent and credulous relatives by declaring such violent measures to be an indispensable portion of the proper treatment.

The plan of locating the insane in lonely houses or in retired cottages, and only attended by servants, is still worse; because here, there is no possible controul insured over the diseased actions or vicious habits of the invalid, so long as his indulgence in them does not interfere with the ease and convenience of his keepers, while the savage ferocity of these men is permitted to work an entire prostration of every sense of shame and propriety in the victims of their care. I have seen a gentleman's attendants, as part of their treatment, invariably stop the unhappy patient's clamors by keeping his head closely wrapped up in blankets! until his provoked and clamorous anger is subdued by almost an extinction of his respiratory efforts—and this, day after day, during wearisome years of incarceration! And as to patients being placed privately with medical men, or other persons disposed to have them domiciled with them for profit, there can be no doubt, that although the evils of the private system are felt here also, yet that it is much better than submitting them entirely to the custody of unfeeling or unreflecting servants in cottages or portions of family mansions, because there is a guarantee for fair treatment held out by the character of educated physicians or surgeons, while their acquaintance with the disease, in all its forms, enables them to render conformity on the part of patients to established rules, calculated for their comfort and benefit, more tolerable.

With respect to the commission mentioned by Lord Ashley, in 1842 an Act of Parliament was passed, under which a certain number of Commissioners were to be appointed by the Lord Chancellor, to be called the *Metropolitan Commissioners in Lunacy*, and who, in the discharge of their duties, were, at certain periods, to visit the lunatics confined in all the public asylums and private mad-houses, *i. e.*, licensed houses, for the

reception of *two or more* patients, and to make reports thereon. Those Commissioners having been appointed, and having entered upon their duties, it was one of their reports which Lord Ashley wished to have taken into consideration when he moved in the House of Commons; but, for the reason assigned by the Noble Lord, those reports can contain no information respecting single lunatics detained in private dwellings. There is no power or authority given by Parliament to the Commissioners, or to any one else, to visit such dwellings, or to institute any enquiry respecting their inmates, who, as a consequence of defective supervision, in place of being objects for sympathy, are converted into beings, suggestive of terror and loathing—through the mal-practices of the discreditable people—selected to take care of them.

I have carefully looked through the various Acts of Parliament which have been passed, affecting the care and treatment of lunatics; and I believe my statement will be found to be correct when I assert, that all insane persons, or persons alleged to be insane, confined singly in private dwellings, are left totally destitute of any effective legislative protection. There is not one solitary clause throughout the whole of the Acts that imparts authority to visit, or guarantees the safe and proper treatment of, such persons. The whole of the attention of the legislature, whenever the subject of lunacy has been before it, has uniformly been directed to the care and improved treatment of lunatics confined in public asylums and private mad-houses. That assembly has hitherto seemed as if it had been ignorant that a third class of those helpless beings existed; or, aware of its existence, appears to have thought that those comprising it were totally unworthy of the smallest share of its anxiety or paternal interference.

I can find but *two* clauses in all the Acts which have been passed that have any relation to the patients who are now the subject of our attention.

The first is the 46th Sec. of 2nd and 3rd William IV., cap. 107: “And be it further enacted, That no person (except he be a guardian or relative who does not derive any profit from the charge, or a committee appointed by the Lord Chancellor, or other the person or persons intrusted as aforesaid), shall, under pain of being deemed guilty of a misdemeanour, receive to board or lodge in any house, not licensed under this Act, or take the care or charge of any insane person, without first having the like Order and Medical Certificates as are required

on the admission of an insane person (not being a parish pauper patient) into a licensed house." The "Order" mentioned here is simply a written authority from the party who wishes the lunatic to be confined to the person receiving him, authorizing that person to receive such lunatic; and the "Medical Certificates" are to be written documents from two physicians, surgeons, or apothecaries, certifying that they have separately visited the alleged lunatic, and are of opinion that he or she is of unsound mind, and a proper person to be confined.

The next is the 47th Sec. of the same Act: " And be it further enacted, That every person (except as aforesaid) who shall receive to board or lodge in any house not licensed under this Act, or take the care or charge of any insane male or female person, shall within twelve calendar months next after, if such insane persons respectively shall not previously have returned to their own or usual place of abode, transmit to the Clerk of the Metropolitan Commissioners, a copy of such order and medical certificates, sealed and indorsed, '*Private Return*,' and not to be inspected by any person except by the said Clerk or other person authorised by the Lord Chancellor or His Majesty's Secretary of State for the Home Department; and every such person (except as aforesaid) shall also (if such insane male or female person shall not have been removed) on the 1st day of January in every succeeding year, or within seven clear days after, transmit to such Clerk a certificate, signed by two physicians, surgeons or apothecaries, describing the then actual state of mind of such insane person, and to be indorsed, '*Private Return*,' and all such orders, medical certificates, and returns shall be preserved by the said Clerk, and shall be open only to the inspection of His Majesty's principal Secretary of State for the Home Department, and of the Lord High Chancellor, or other person or persons intrusted as aforesaid; and of such other persons as shall be authorised to inspect the same, by an order under their respective hands and seals: and every person (except as aforesaid) who shall receive to board or lodge in any house not licensed under this Act, or take the care or charge of any insane person in any such house, and who shall omit to transmit such copies of orders and certificates, shall be deemed guilty of a misdemeanour; and the Clerk of the Metropolitan Commissioners in Lunacy, with the sanction of His Majesty's principal Secretary of State for the Home Department, is

hereby required to enforce the due execution of this provision of law; and he shall be paid or allowed such a sum of money for any proceedings thereabout, as His Majesty's principal Secretary of State for the Home Department shall think fit, and to be charged upon the contingency fund of the Home Office."

As I have said, these are the only two sections, which I have now given at length, having any reference (as far as I can find) to single lunatics confined in private dwellings. And it is to be observed, that there is not the slightest provision made here, affecting lunatics confined in family mansions or in retired cottages, and attended only by servants. There is no authority given to any human being to meddle with or enquire into the state, condition, or treatment of unhappy persons placed in either of these situations, or a single requisite imposed upon or exacted from the controlling parties, for ensuring the just and considerate treatment of invalids. With regard to the class composed of those who are placed with medical men or others, having them for profit, the only approach to a shade of legislative or legal interference or security for patients is, that before they are handed over to the custody of such individuals, the order and medical certificates, mentioned in the 46th Section, shall be procured, and then the party having the custody of the individual shall, in the month of every *January*, transmit to the Clerk of the Metropolitan Commissioners a certificate, signed by two physicians, surgeons, or apothecaries, describing the *then* actual state of mind of the persons confined, marked *private return*; and I would put it to any rational being to say in the affirmative, that there is, in these two clauses, any security whatever provided for the proper treatment of single lunatics confined in private dwellings? There is literally *nothing* said or done as to very many of them, and *comparatively nothing* with respect to the residue. Lord Ashley said in the House of Commons, that in many cases no notice whatever was taken of the provision made by the 47th Sect.; and that in other instances the law was evaded by the removal of the patient to some other house, after he or she had been twelve months an inmate of any particular dwelling; but, even if these clauses were in all instances strictly and sacredly complied with, I cannot see how they provide for anything like the necessary and efficient protection of the lunatic. Why, after the 1st of *January*, even in reference to the few for whom there

seems to be a share of consideration given, when the required certificates have been transmitted to the Clerk of the Metropolitan Commissioners, until the 31st day of the following December, the lunatic, male or female, may be *mal-treated* in every possible way, without the slightest probability of the existing enormity reaching the ears or knowledge of any one who could have the slightest pretension or authority to interfere. What proper security is there in these sections, either against an unjust continuance of incarceration, or the infliction of blows, privations, criminal acts, and every species of indignity, for ten or even twelve long months? I confess I can see none; and, certainly, I cannot be accused of having any interested motive, beyond that which, I trust, every humane man, after he becomes acquainted with anything like the extent of the horrible abuses that are practised in this department, must personally and individually feel, in desiring to see a speedy alteration in this state of things.

But it must strike the mind of every one, that there is another crying injustice in the present system, *viz.*, that merely upon procuring the certificates of two medical men, stating, that in their opinions an individual is of unsound mind, and an order or written statement of a guardian or relative, (authorising another person to receive him or her), that individual may be confined for any unlimited period, even for *fifty years*, as Joan of Arragon was (though perhaps not in an *iron cage* like her, yet, still in a brick and mortar cage), and then suffered to perish from want, in filth, or from some cause, and under some other degrading circumstances that ought not to have existed. Is it not frightful to know and to think, that merely upon a proceeding so superficial, and, it may be, so liable to corruption, one class of the insane—those placed out with others for profit—and without any preliminary proceeding at all as to two other classes, those either labouring under insanity, or suspected to be so by relatives, guardians, or friends, and who are therefore confined in family mansions or secluded cottages, and attended only by servants, may be so incarcerated for any unlimited period, and shut up and subjected to every possible degradation *for life*, without the law of England requiring that there shall be instituted one single legal enquiry into the true state of the minds of those unhappy persons? It is scarcely credible that, in a country like this, where the liberty and the rights of the subject are, *professedly*, so much respected, such a state of things

should have been passed over and allowed to exist for so many years ; and that the law should, without the interposition of its safeguard, have left, and at this moment should leave, so many helpless individuals exposed to the tyranny and oppression of, it may be, designing and wicked individuals, armed with a dangerous because an irresponsible power. Well might Lord Ashley say, this appeared to him to be *a peculiarly unfortunate arrangement*. Well might he be cheered when he declared, that it was *absolutely necessary* that the power of instituting enquiries in these cases should be vested in some responsible authority, competent to discover and check *the numerous and horrible abuses* to which this system was liable ; that Parliament could have but little conception of the abuses perpetrated in these establishments ; that it was a matter the Legislature was *bound* to deal with, and that no lengthened period could be allowed to elapse without its coming to a decision whether or not this secret and irresponsible power should be permitted to exist. But even Lord Ashley knows not the magnitude of the grievances ; and it will be my duty, in addition to those he has adverted to, to detail a few.

His Lordship states, that there are 282 patients under the care of the Court of Chancery ; that is, I apprehend, placed by the Lord Chancellor, singly, in private dwellings. But, so far from there being only 282 lunatics at this moment confined in private dwellings, from information I am in possession of, I think I am within compass when I state, that there are, at the present time, domiciled in England, in private dwellings, no less than *five thousand* unhappy beings alleged to be in a state of lunacy, into whose condition the Metropolitan Commission has no power to institute a single enquiry, and for whom the law provides no protection whatever. *Five thousand persons* left in this helpless condition, and exposed to the ill-treatment, injustice, and horrible abuses, which Lord Ashley so forcibly describes !!

Lord Ashley, in terms, points out one motive for, and one of the causes of, the abuses that are perpetrated in these establishments, namely, that for the sake of securing to himself a permanent income of *five hundred pounds a year*, (and in some instances much more), it must be the aim, wish, and object of a man who has one of those unfortunate beings in his private house, to keep that individual in a deranged state of mind, and that he or she should become an incurable luna-

tic, else the income of £500. a year to him must cease ! " The returning health of the patient is the signal for the discontinuance of the £500. a year ! ! " How it must shock every well-constituted mind to read, to hear, and to know, that the law of England permits it even to be said that the avarice of man may be exercised and may be gratified in such an unholy way, in perpetuating the most revolting abuses, and in working that greatest injury to a fellow creature, the ultimate destruction of his mind ! And, if this really be the case, how many are there whose unhinged reason from some lamented bereavement or other unhappy cause, or whose comparatively temporary weakness of intellect might be reinvigorated and restored to proper discernment and exercise, by a short and quiet retirement, soothing treatment, and affectionate care, but who may be doomed, as Lord Ashley says, to be kept *in perpetual confinement*, and be bereft of all possible power or opportunity ever again to become partakers in the enjoyments of this life by the wickedness of the *irresponsible* persons in whose keeping they have been unhappily placed !!

It must be evident to all, that men who have the charge of those single lunatics, and who are capable of committing the alleged abuses, must be ever on the alert to prevent themselves being detected in the execution of their crimes, or suffering the public, or indeed any person, to witness them ; and, moreover, that they must be amply furnished with the means of *secrecy*, the more especially as no man has any right, at any time, to enter into any part of their dwellings without their permission. Under such circumstances it cannot be expected that very much *ocular* proof can be forthcoming of the habitual evil practices which exist, and against which we are now endeavouring to obtain a remedy. Moreover, the extreme delicacy of making disclosures affecting matters so strictly confidential, must likewise operate powerfully against any very extensive public divulgences ; but, still, abundance of indisputable evidence must ever be within reach ; and I shall now proceed to detail some particulars of one or two cases of which I myself have happened to be allowed to be an eye-witness, and which, I conceive, the sacredness and importance of my cause, justify me in stating, without at all infringing on the strict line of professional silence enjoined by certain cases.

There is what I may call an actual colony of private patients, or, in other words, single lunatics confined in private

dwellings, in and about St. John's Wood ; and if any one interested in these matters, who thinks he might gain admission into the room of a patient there, without his visit being expected, will take the trouble to avail himself of the opportunity of making the visit, the remembrance of the *spectacle* that will present itself to his view will never after be effaced from his memory. There is nothing in or about the chamber calculated to cheer, to comfort, or to amuse ; nothing but that which is likely to make a sane man insane, provided he is placed there under an apprehension of being permanently detained there. The principal features are the attendants, who are strong and powerful, cunning and overbearing in their demeanour, and ever ready to apply their strength and their cunning to overcoming, by brute force, any attempt on the part of the patient at anything but the humblest submission to their coarse and domineering wishes. It signifies not how refined or delicately the unhappy patient may have been educated, or in what grade of society he or she may have been accustomed to move, all are alike subject to this despotic power. I remember well, on one occasion, having found, by means of a latch-key, in the night, an invalid fastened down to his bed in such a manner that it was utterly impossible for him to leave it for a moment for any purpose, however pressing ; no one in the room but himself, his chamber door locked on the outside, and his attendant (who ought to have been with him) *gallantly* enjoying himself out of doors.

On another occasion I saw a patient shaved. He did not appear to me to be a man who required violent means to be resorted to for that purpose ; but the proceeding (apparently, quite a matter-of-course-way of going to work) was this : a rush, unexpectedly by the patient, was made at him by the keeper ; in an instant his hands were firmly secured behind him ; and without delay he was unceremoniously laid on the floor on his back uncovered. At this conduct he became angry and rebellious—and who can wonder at it ? The keeper then placed one of his knees on the patient's chest, knelt upon him, and pressed him down in that way. With one hand he grasped the patient's forehead, with which he kept the head steady, and when it was attempted to be moved, he struck it against the *floor*. With the other hand, he alternately lathered and shaved the face, thrusting the soap brush into the mouth of the unhappy victim whenever he offered the slightest remonstrance against the indignities thus

inflicted upon him, and which he evidently and keenly felt. This patient was a man of naturally mild but proud manners; highly educated, and extremely sensitive to the repulsive approaches of his rude attendant, by whom his eyes were frequently discolored, his person bruised, and he called by the epithets of *hog, beast, &c., &c.*

Now if an unfortunate patient have but a remaining shred of the delicate, sensitive, and honorable feelings, that may have been communicated to him by nature, education, or station, while he was yet blessed with a sound mind, it is against all reason to suppose that he must not rebel against such treatment as I have just described; and yet there is no law, no power to interfere to aid a man, in so pitiable a condition, in resisting such atrocity; or whereby he, or any friend of humanity, can be assured that lunatics confined in private dwellings, shall escape the ferocious and vindictive wrath of those athletic and heartless men, in whose hands these helpless beings are but too frequently placed. It is utterly impossible that the occasional visit of a physician can be an effective guarantee for the proper treatment of such patients. The physician selected may have a plurality of *private asylums* to visit, ten or twenty "unlicensed houses," and also private practice to attend to; so that his visits must be, comparatively, but rare and short. Besides, if the patient make complaints to him, he is informed, with every possible degree of gravity, and apparent sincerity and truth, by the attendants, that what the patient states is hallucination or false; and it is inconvenient for the "mad-doctor" to know why the patient had been tied down for a couple of days; how he came to have blackened eyes; what constituted the uninviting meals that had been repulsively served up to him; or wherefore the insupportable smell filling the chamber, especially when it is remembered, that if the truth of all these circumstances were fairly entered into, the result would be the dismissal of the keeper, and it might be chagrin and loss to the physician himself through the necessary change.

On more occasions than one I have heard impudent and vulgar attendants address their insane masters by their Christian names only, than which nothing could make them more dissatisfied; and in one case, I actually saw a high-spirited, proud, and partially insane gentleman, taken up by his powerful servant of this class, laid across his knees, and severely slapped by him on his gluteal muscles. Of course

that gentleman could never afterwards see that attendant without having the most painful emotions excited in his breast against him.

But, again, supposing the patient to be a lady. With greater natural sensitiveness of feelings, there comes an increased necessity for more delicate and better management. Is it at all certain that that will be, or is the case? Assuredly not. Last year a lady of great respectability in my immediate neighbourhood, while under the paroxysms of an active form of insanity, was so troublesome to her friends, that they too frequently permitted her attendant to secure her firmly for long periods in a chair. I objected to that proceeding, and recommended that an attendant should be procured who might be less likely to resort to such an extreme measure. Another attendant was accordingly employed; one who had had the benefit of being educated in the very best Asylum in England, and where no restraint is used. Again, however, the plan of personal restraint was had recourse to, as being shorter than conciliation, and the lady, irritated at its severity, spat upon her new and demure-looking attendant, who, in place of passing it by unnoticed, or with only a mild remonstrance, deliberately walked up to her, and emptied, into her face, a mouthful of saliva. Beyond the repugnance of human nature to such conduct, the act was calculated indelibly to fix on the memory of the patient, spitting as a weapon of offence and defence.

On another occasion I witnessed a case where the irritable conduct, or the agitated temper and angry feelings and expressions of an unhappy lady were such, as appeared to the attendant to require that she should be kept under complete restraint for twelve, twenty, or even thirty hours, at a time; and when the sphincter muscles refused longer to hold out, coarse remonstrances, expressions of disgust, and offensive epithets testified to the disordered senses of the sufferer, the immediate efficacy of dirty habits, not only in procuring a change of position, but also, in eliciting the anger and discomfiture of those by whom she was surrounded. To have witnessed this, was, to her, a matter of greater gratification than to have felt the positive good of her altered posture. Thus do troublesome, and at all times offensive, habits arise, from mismanagement, and become fixed through the same serious evil.

The attendants on the insane are confessedly, as a class,

disreputable, more especially male attendants, and no great improvement in them, as a body, may be expected until a sense of the value of moderation and kindly consideration, in dealing with the subjects of cerebral disease, is *forced* upon those who are entrusted with the office of selecting persons to minister to the wants and prejudices, and diseased manifestations, of proud and educated invalids, and from whose afflictions they derive profit. A secret and consuming habit among a very considerable portion of the insane, renders the most active vigilance necessary in selecting attendants for them, because, unhappily, there is no room to doubt that idleness, over-feeding, and a deficient sense of morality, are capable of producing in these such vicious tendencies as may be ascribed only to disease in the others. This part of the subject, repulsive as it is in its nature, is too serious to be passed over silently, from over-fastidiousness, and therefore I trust it will arrest the attention of all who may be officially in a condition to correct the serious evils which are so likely to spring from it. I have been informed by gentlemen, whose veracity is as unquestionable as their experience has been extensive, that there is another frightful result of this unchecked commingling of vice and disease, and the suspicion once aroused, is calculated to make us confess that such things may be, *Vix credendum, nihilominus verum est, homines, et malesanos, et hos, muneribus servorem fungentes, facinori nefando deditos, Hospitiis eorum, qui mentem amiserunt, invenire posse.* Although no one could have been more careful than I have been in selecting attendants, when commissioned to do so, yet I have met with nothing so difficult as to be able to secure those of a faithful character; and every day's experience convinces me more and more of the unceasing watchings that are absolutely requisite in order to secure proper attention, with mild, becoming, and conciliating treatment to the patient on the part of the attendant (male or female), to whose more immediate care the lunatic is confided. Without this unwearyed vigilance is maintained on the part of the individual who keeps the house, it would be most unreasonable to expect that the delicacy of conduct and due attentions which are so imperatively required, would continue to be observed towards the patient by any attendant who could possibly be found. And here I would suggest, how inconsistent with a healthy view of the subject, and the present considerate

system of treating insane persons—is the habit of measuring the qualifications of attendants, by the amount of brutal force which they are likely to exercise in scuffles, provoked, in most cases, by a confidence in their own strength, and if it were not for fear of being considered imaginative, I would say, how greatly the chances of good conduct are increased in an attendant with good cerebral developement—and how almost certain it is, that degrading and uncontrolled passions are to be found in persons, where the cerebrum is defective in size, and the cerebellum is large. Let him that would sneer at this hint qualify himself to do so by enquiry and comparison, and he will find himself nearer the truth, and less disposed to exercise his risible muscles.

It would carry my observations beyond the limits I have prescribed for them, were I to enlarge on this part of my subject. The heads of a few well-authenticated cases, such as I have now given, must answer all the purposes, that a more lengthened disclosure and repetition of similar facts could effect, while I studiously refrain from a recital of painful and *ad captandum* details. Nothing could be easier than to multiply my cases. No difficulty could exist in collecting a volume of them, even from the public press, which would shew, that the most revolting abuses of every imaginable description are practised where single lunatics are detained without supervision. It is but a short time since a report appeared in the daily newspapers, that in the borough of Tregony, in Cornwall, a person named George Davy, had been chained to a wall in a *hovel* for *no less than EIGHT YEARS!* He was kept littered down in straw, as if he had really been a *beast*; had only one coverlet to shelter him summer and winter; and there was neither window nor door to his hovel, by which he might have been protected either from the inclemency of the weather, or from the annoyance of ignorant and unfeeling children who frequently goaded him to desperation. Then again, every newspaper reader must be familiar with the deplorable sufferings to which Mr. BRENT SPENCER was subjected, whose case has been so recently before the public. It was so truly illustrative of the private system, and the abuses of irresponsible power, that nothing can better serve the purpose I have in view, than for me to state here the principal facts as they were deposed to at the time at which the foul inquiry, practised in that case, was

discovered ; and the following appeared in *The Times* newspaper, May 20, 1844 :

“ EXTRAORDINARY AND HORRIBLE CASE.

“ On Saturday, after the disposal of the night cases at Queen Square Police Office, Mr. Ryder, Chairman to the Board of Guardians of St. Luke’s, Chelsea, requested the advice and assistance of the magistrate under the following very extraordinary circumstances :—Mr. Charles Morris, a person who had lately come to reside in Chelsea, had his attention called to groans which proceeded night after night from No. 4, Princes Street. He accordingly brought the matter before the Rev. R. Burgess, rector of the parish, who, having frequently received intimation that other parties had heard the same sounds, had written to him (Mr. Ryder) to take some steps to see whether the groans and cries did not proceed from some human being confined in a room of the house. He instituted inquiries, and found that the information given to the Rev. Mr. Burgess in the letter, and confirmed by his own, was too correct. Some *dark and horrifying scene* was being acted in that house ; and the groans and cries of a human being chained, as it was supposed, to a wall or bed, for he was never seen near the window, appalled the ears of the neighbours almost nightly.

“ Mr. BURRELL inquired whether the neighbours had ever heard any articulate sounds ?

“ Mr. Ryder replied they had not. Mr. North and Mr. Hall, two immediate neighbours, could confirm this account ; and whoever this poor suffering creature in human form was, *he had been immured in that room for eleven or twelve years.*

“ Mr. BURRELL expressed his astonishment that it could have existed for so long a period without the interference of the neighbours.

“ Mr. Ryder said that the door of the house, as they could best learn, had not been open for years, and, unable as they were to obtain any evidence on the subject, and fearful of getting into some difficulty, it had been suffered to go on until the present moment.

“ It was then agreed that an entrance should be made into the house without any previous intimation being given, lest that should frustrate their object in learning the real state of

matters. Mr. Forbes, inspector of the B division, was accordingly desired to take a party of police with him and proceed to the house in question. Mr. Ryder and the chief usher of the court accompanied the police. On the return of the latter, at about half-past four, he communicated to Mr. Burrell the result of their visit to the house. He said that they had effected an entrance by getting over a side wall, and in at the back door, and, after much hesitation, the back room on the first floor was opened by a woman, when the most revolting scene that had ever come within his view during a very lengthened experience burst upon them. On a small straw bed lay a poor human creature of the male sex, *without one morsel of clothing more than an old and filthy rag, which might be termed a shirt, and a small piece of flannel or blanket.* Beneath him was a hole rotted through the filthy straw of the bed, evidently by his own excrements, *and maggots and loathsome vermin of every description were crawling on his frame, which was so obscured by filth that it was almost difficult to discern in him a human being!* His beard reached nearly down to his middle, and his nails protruded some inches beyond his toes! Mr. Ryder, who was deeply affected, said that such a spectacle as that they had just witnessed had very rarely been seen. He proceeded to describe it in substantially the same terms as those already given. He added, that after their admission, the poor creature, who was evidently a lunatic, was dressed, a portmanteau full of clean wearing apparel being brought from some other part of the house, and he was then put in a cab and conveyed to the workhouse. In concluding his statement, Mr. Ryder expressed his surprise that the filth in the room had not engendered some fatal disease.

A commission of lunacy against this unfortunate gentleman was afterwards taken out, at the instance of the parochial authorities of St. Luke's, Chelsea, and opened on the 19th of August, when it appeared the lunatic's father had, by his will, left him a yearly income of £200, besides the dividends and interest arising from £3,200; and also a sum of £3000. to be received by him after his mother's death.

Amongst the witnesses examined under the commission were the following:—

THOMAS TUNSTALL, police constable 96 B, said, "On the 18th of May last, I went to No. 4, Princes Street, accom-

panied by some other police constables. I got over the wall of the next house. I found the back parlour locked, and saw the mother of Mr. Brent Spencer, Mrs. Pelham. I opened the door and saw Mr. Brent Spencer lying on the floor. The room was in a very filthy state. The mattress *was rotted through*, and the room appeared to have been coated over *for years* with dirt. The mattress was *full of all kinds of vermin, wood-lice, and maggots!* The stench was horrible. There was a wire guard covering the fire-place; the window was barred outside, and defended within by a wire guard. The door was lined with sheet iron, and covered with green baize inside. Mr. Brent Spencer was lying down curled up; he could not walk without support. His clothes did not near cover his person. His hair, beard, toe and finger nails were very long. The plaster of the room and the bricks were knocked about."

GEORGE LEDBITTER said he had known Mr. Brent Spencer from 1824 to 1830, during which period he had been a gay young man. He had had a brain fever previous to August 1830, and he then became much altered.

HENRY TEMBS, a hair dresser, said, he had been employed by Mrs. Pelham to shave and cut the hair of Mr. Brent Spencer for some time, and until about four years and a half ago. *Since that time no one had attended upon him!*

Mr. WILSON PELHAM, brother of the unfortunate gentleman, deposed: "My age is 22 years. I lived in Princes-street eleven years. I have not attended on Brent Spencer during four or five years. *He has not been out during that time—not out of his room!* I have *occasionally* taken him his food. Have had no doctor to him for *seven years*. The last doctor was Sir George Tuthill. He was kept in his room because he was violent and in an unsound state of mind, and has been in that state for about 14 years.

Of course this unhappy and illused gentleman was immediately found, under the Commission, to be of unsound mind, and he has now, through the interposition of Providence, been relieved from his horrifying thraldom and placed under suitable treatment. The facts of his case admit of no denial. When the delinquents, who practised these ignominious cruelties, were dragged before the tribunal of justice, they could not offer a particle of proof that they had not been guilty of the unnatural crime laid to their charge; and when

such fearful enormities are found to be perpetrated in the very heart of London, how can any one satisfy his mind that half of the 5000 private patients, who are in England, are not the victims of similar misconduct? And ought not the bare suspicion of the existence of an evil so frightful, to rouse the legislature into an effort, at least, to detect wherever they may exist, and to prevent the continuance or recurrence of scenes so heart-rending! I confess I can scarcely imagine anything more appaling to the feelings than such disclosures as these; nor can I think that the mind of Her Majesty's Secretary of State will remain unaffected by them. Will Sir James Graham now say, that "*notwithstanding the detention of single lunatics by their friends in private dwellings is open to abuse, yet it does not appear that such prevails?*" Is it possible now for any one to say, "*it does not appear that such prevails?*" Fact, reason, and the exercise of common understanding, all declare it to be impossible that that expression can ever again be repeated or made use of by any one not pre-disposed to be deceived.

Now I have not referred here to Wales at all; I have confined myself to England. But in Wales the hardships and abominations of the *private system* are severely experienced, both by the rich and the poor; by the rich partially, and by the poor generally. It appears from the report of the Commissioners to the Lord Chancellor, that in Wales there are 1177 pauper lunatics, and that there are only two asylums capable of containing 100 patients between them; 1077 pauper lunatics are therefore scattered over Wales, singly confined by their indigent friends or by strangers, and only the scantiest pittance allowed for their support. The Dean of St. Asaph, in his evidence to the Commissioners, says, "*I have seen a lunatic secured in a dark and loathsome shed, lying extended upon stone (for the space did not allow of his standing upright) in a state of filth that I dare not describe!*" Mr. R. L. Williams, a surgeon, in Denbigh, speaks, in June 1844, of a man who had been a student at Oxford, and who was confined in a small room *unshaved and uncleaned for nearly TWENTY YEARS!* and whose friends lived in Carnarvon, *and were respectable!* Again, the case of a man named *Griffith Jones* was recently brought before a Committee of the Magistrates of the County of Carnarvon, and there the evidence was, that he had been confined in a place *without a window* to it; that the smell arising from it nearly suffocated the medi-

cal man who was sent to visit him ; that his bed was in a most filthy state, *and that his body was covered with vermin !* Can evidence more frightful or conclusive be adduced ?

Now, although I have no wish whatever to accuse relatives, guardians, or friends, *generally*, of want of any proper, kindly, and anxious feeling towards the unfortunate objects in whom they are or ought to be interested, yet I am thoroughly convinced that they frequently err egregiously in judgment. All experience proves that there is a tendency in human nature to the abuse of irresponsible power ; and I am persuaded, that an enquiry into the general exercise of the irresponsible power, now under consideration, will shew, not only that none has ever been more abused than it has been, but that a great degree of the original mischief arises from a mistaken and very foolish desire on the part of friends to conceal the character of the disease, under which a member of their family may be labouring. It would seem as if they thought that if it were to become generally known that they had a relative afflicted with insanity, the world would not only come to the conclusion that the disease was hereditary in the family, but that all connected with the unhappy individual were themselves insane. To me there can appear to be nothing more absurd and more mischievous in its tendency, than to entertain such a notion. But, even if secrecy were desirable, the extension of the powers of the Metropolitan Commissioners to visit houses where private patients reside, would not be the means of divulging the fact to the public, that an insane member of a particular family was in a certain house, as may be collected from the terms of the following oath of secrecy, which the Commissioners are required to take.

“ I, A. B., do swear * * * *, that I will keep secret all such matters as shall come to my knowledge in the execution of my office, except when required to divulge the same by legal authority.

So help me God.”

Then as to fancying that because an individual becomes afflicted with insanity, it is to be forthwith concluded that the disease is of an hereditary nature, that question has been so learnedly and so extensively investigated and dealt with, that

I shall only here state, as the result of my own experience, that in several well-marked cases of insanity in private patients, I have been able to detect an hereditary predisposition to the disease in only a comparatively small number ; and, indeed, in some of these instances, the proofs were by no means entirely satisfactory. In the majority of these cases, I obtained the most convincing evidence that the parents and former branches of the families had lived and died perfectly sane, although not free from some form of scrofula. I ought to add too, that in those, as in most of the instances of insanity that have fallen under my own personal observation, I was struck with the strumous diathesis which uniformly attended the disease, and which I believe to be inseparable from every degree of cerebral affection where that has not been caused either by apoplexy or some direct external agency, such as a blow, a fall, or a *coup de soleil*. Besides, it is admitted that hereditary insanity is curable, provided timely and proper steps are taken to arrest its early progress ; and this can hardly be looked for where the habit almost invariably prevails of letting the selfish wish for secrecy take precedence of the poor patient's welfare. Nor ought it to be forgotten by friends, that other diseases, peculiar to strumous habits, may be superinduced upon insanity from a want of the many domestic comforts which patients ought to be supplied with ; but which, in ninety cases out of a hundred, are not afforded, partly because it is supposed they are incapable of appreciating them—than which a greater mistake cannot be fallen into—and partly because the *secret system favours such withholding*.

Whatever motives may exist for secrecy, I am in a position to assert that, taken as a whole, far more evils result from the endeavour to maintain secrecy, acting under an impression of propriety, prudence, or policy in this respect, than would be the case if no regard whatever, in any quarter, were to be observed in regard to it. There can be no doubt that, from being actuated by a strong wish for concealment, relatives and guardians greatly err in the first instance. Founded in that error, their proceedings go on, in the great majority of instances, not only until no secrecy at all exists, but until (in many cases arising from the existing evils of the system) the unhappy individual gets domiciled in a public mad-house as an incurable lunatic, or, as Lord Ashley says, what is even worse, permanently locked up in a private dwelling, for life, or as

long as the £500. a year is forthcoming. Upon a question of this sort, involving, as it does, the liberty of so many of our fellow creatures, the controul of their property by strangers, and (if they are really to be kept in a state of continued confinement) the imperative duty that must exist somewhere to see that they shall be well and properly treated; I really cannot comprehend why it should be, that either anxious friends, Lord Ashley, or Sir James Graham, should place so much stress on the observance of secrecy as they seem to do, or upon the so-called *delicacy* of Parliament interfering in these cases, for securing the proper treatment and comfort, and, if possible, the restoration to health, of those unfortunate beings. To me there appears to be no ground for urging any such difficulties, and the bare perusal, especially, of Mr. Brent Spencer's case, must be regarded as affording the most painful proof of the injustice that may be perpetrated in almost all cases, without exception, where the unwise and mischievous wishes of friends for secrecy are consulted, in preference to that course which would otherwise be considered absolutely necessary to be taken for the welfare of the patient.

The question then is, what is to be done? Undoubtedly, the first thing is, to present a fair ground to the minds of those upon whom the moral obligation rests, to have these abuses put an end to, for believing that the abuses really do exist; and, I think, after what I have now added to Lord Ashley's representations, no reasonable doubt ought any longer to remain that such abuses do prevail.

I cannot bring myself to believe that Sir James Graham will now hesitate to acknowledge that this is a subject worthy of his attention, or that he will any longer refuse his sanction to an investigation into the system I now deprecate. He may rest assured that the result of such an enquiry will be to satisfy his mind that the abuses which (he admits) the system is open to, *do prevail*; but even if that result proved the reverse, such an enquiry could not fail to be satisfactory to his mind, because it would enable him then, and all others who now feel anxiety on the subject, to know that the statements which had been made affirmatively of the existence of the abuses were founded in fallacy.

Presuming it then to be *prima facie* evident that the abuses do exist, my remedial proposition is, that the powers of the Act of Parliament, under which the Metropolitan Commis-

sioners visit public asylums and licensed mad-houses, should, without delay, be extended to private dwellings where single lunatics are detained. This power has already been productive of immense benefit to the patients who have become the subjects of supervision by the Commissioners ; and from the good it has effected, and clearly will effect, there can be no doubt that if extended to patients in private dwellings, indescribable advantages will be the consequence to them.

It would be just in the Legislature to require from every person exercising a power of restraint or confinement over an invalid, for any period longer than six weeks, two such medical certificates, to testify its necessity, as are now required only from persons exercising it for profit. Should the continuance of this power be deemed necessary for more than a year, owing to the prolonged illness of the invalid, its legality should be made to depend on a renewal of the certificates, and then the supervising power of Commissioners ought to be interposed to prevent an unjust prolongation of restraint or confinement, leaving nothing of *material* consequence to the capricious care of relatives or strangers. These remarks will doubtless appear somewhat free to many individuals, with some of whom I have the honour of an acquaintance, but, though I would gladly avoid giving them offence, I shall nevertheless not refrain from embracing the present opportunity of making suggestions calculated in my mind to secure, so far as it can be done, the permanent welfare of private insane patients. A six weeks exemption, in the outset of the disease, from the necessity of so simple and salutary a check, as procuring medical certificates of the patient's insanity—and a further exemption for twelve months, from being obliged to expose him to supervision—might, in my estimation, be regarded as the most ample proof of consideration for those *feelings of relatives*, which Lord Ashley, no less than Sir James Graham, declared to be so deserving of it.

I think it cannot be questioned for one moment, that *under proper regulations and effective supervision*, private houses must be the best calculated for such patients as are usually placed in them ; because, generally speaking, they are persons whose education and previous habits of life disqualify them from agreeably or beneficially associating with such as are, for the most part, confined in public asylums ; and were this supervision now to be created, the state of mind of the patient, his personal appearance, his wardrobe, his

apartments, the quality of his meals, the condition of his bed, his opportunities and means of exercise, and the occupation of his time, together with many other essential particulars, would not only be all examined into by the Commissioners, but more vigilantly attended to by those deriving profit from the charge.

I can imagine no *substantial* objection to such an extension of the powers of the Commissioners as to enable them to visit houses where private patients are confined, unless it arises from the expense that must attend the discharge of such duties on the part of the Commissioners. If that objection arose, means ought to be devised whereby it should be removed. Lord Ashley is reported to have stated, that there are 282 patients under the care of the Court of Chancery. I think his Lordship must have been misunderstood in his expression in that respect, because, I believe, that by the last return, there are no less than 535. Their annual income is put down in the return at £356,711. 17s. 11d., and out of that there is allowed for their support and maintenance, £161,161. 12s., or, upon an average, £300 and a fraction for each, per annum. Taking the number of private patients to be 5000, and their average income to be each £150. (and it is more), that gives an annual amount of £750,000. Now, supposing that *one and a half per cent. per annum* were to be authorised to be taken from that sum, with a view to meet the expenses of the Commission, it would place at the disposal of Parliament or of Government £11,250 annually, for the purpose ; and which, I should consider, would, in all probability, be an ample sum for the object.

Undoubtedly, it is not for me to dwell upon a plan whereby remedial proceedings may be taken to correct the evils I have been calling attention to. My object has been to shew that they *do prevail*. It remains for more competent persons to devise a form of remedy, and to say what the machinery must be whereby that remedy shall be carried into execution ; and earnestly do I pray, that those whose station and talents render them capable of directing and prosecuting an enquiry into the subject, may not remain satisfied until every alleged grievance shall have been thoroughly investigated, and until they shall be in a position to shew to the public that either the apprehensions which have been entertained are erroneous, or that it is absolutely necessary for them to have a supervising power appointed. Sincerely do I trust, that no notions

of what I can only regard as false delicacy, will be allowed for any further length of time to stand in the way of the discharge of that moral duty which calls for the enquiry; because, let the investigation be even yet for a short period resisted or refused, on whatever ground it may, I am convinced that Lord Ashley's words will be found to be correct, that this is a matter which Parliament is *bound* to deal with, and that it can allow no lengthened time to elapse without coming to a decision whether or not this secret, irresponsible, and abused power, shall be permitted to exist.

THE END.





